

REMARKS

This paper is filed in response to the Office Action mailed August 11, 2006. The noted in the specification have been corrected. The Information Disclosure Statement received on 12/06/2004 was accepted, however, copies of the references were requested. Copies of the references are submitted with this paper.

In the Office Action, claims 1-20 were rejected. By this Amendments, claims 1, 7, 18, 19 and 20 are amended and claims 1-20 remain pending.

The elements "first ring means for providing support for a first vessel at a first vessel opening" and "second ring means for providing support for a second vessel at a second vessel opening" recited in claims 1 and 18 are intended to be interpreted under 35 U.S.C. § 112 ¶6. Claims 1 and 18 have been amended to recite that "the first ring means and second ring means are configured to hold the first vessel and second vessel together without requiring penetration of at least one of the vessels."

Independent claims 7, 19 and 20 have been similarly amended to recite that "the first ring and second ring are configured to hold the first vessel and second vessel together without requiring penetration of at least one of the vessels."

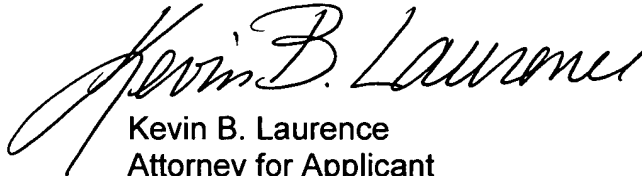
In the Office Action, the claims were rejected under 35 U.S.C. § 101 as claiming the same invention as that of claims 1-20 in U.S. Patent No. 6,736,825. This rejection is overcome by the additional limitation which is now recited in the independent claims.

The claims were rejected based on U.S. Patent No. 6,503,259 issued to Huxel et al. (hereinafter "Huxel et al."). The anastomotic device disclosed in Huxel et al. requires that the tissue of both vessels is penetrated by "pins 20." In contrast, the embodiments disclosed in the Present Application enable the first vessel and the second vessel to be held together "without requiring penetration of at least one of the vessels." As noted in ¶88 of the Present Application, the embodiment shown in FIG. 4B requires that the graft vessel is penetrated by guideposts 330a" to enable the first vessel and the second vessel to be held together. This embodiment requires that only one of the vessel is purposefully penetrated in order to hold the vessels together. The other embodiments do not require that either of the vessels are penetrated in order to be held together. As described in ¶58 of the Present Application, the embodiment shown in FIGS. 1A-1D and FIGS. 2A-2E, has a "hook or barb 318 to prevent graft vessel 50 from slipping off holding surfaces 314b after graft vessel 50 has been loaded onto holding tabs 314b." Features such as a hook or barb which initially hold a vessel are not structures of a ring "configured to hold the first vessel and second vessel together."

Each of these claims is fully supported by the application as originally filed. In addition, it is believed that each of the now-pending claims is patentable in its present form, and favorable consideration and allowance thereof is respectfully requested. As mentioned above, if the Examiner finds any remaining impediment to the prompt allowance of this application, please contact the undersigned attorney.

DATED this 12TH day of FEBRUARY, 2007.

Respectfully submitted,

A handwritten signature in black ink, reading "Kevin B. Laurence". The signature is written in a cursive, flowing style with a large initial "K".

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